

## Pt. 310, App. H

Requests should contain individual's full name, Social Security Number, and/or passport number.

**Record access procedures:** Individuals seeking to access information about themselves that is contained in this system of records should address written inquiries to the Special Assistant for Security Matters, Headquarters, United States European Command, Unit 30400, P.O. Box 1000, APO AE 09131-1000.

Requests should contain individual's full name, Social Security Number, and/or passport number.

**Contesting record procedures:** The Army's rules for accessing records and for contesting contents and appealing initial agency determinations are contained in Army Regulation 340-21; 32 CFR part 505; or may be obtained from the system manager.

**Record source categories:** From individuals.

**Exemptions claimed for the system:** None.

### DELETION OF SYSTEM NOTICE

#### DEPARTMENT OF DEFENSE

##### Office of the Secretary

##### Privacy Act of 1974; System of Records

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice to delete systems of records.

**SUMMARY:** The Office of the Secretary of Defense is deleting a system of records notice from its existing inventory of records systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

**DATES:** This proposed action will be effective without further notice on (insert date thirty days after publication in FEDERAL REGISTER) unless comments are received which result in a contrary determination.

**ADDRESSES:** OSD Privacy Act Coordinator, Records Management Section, Washington Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301-1155.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Smith at (703) 000-0000.

**SUPPLEMENTARY INFORMATION:** The Office of the Secretary of Defense systems of records notices subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended, have been published in the FEDERAL REGISTER and are available from the address above.

The specific changes to the records system being amended are set forth below followed by the notice, as amended, published in its entirety. The proposed amendments are not within the purview of subsection (r) of the Privacy Act of 1974, (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: April 2, 2006.

John Miller,

OSD Federal Register Liaison Officer, Department of Defense.

## 32 CFR Ch. I (7-1-08 Edition)

### DODDS 27

**System name:** DoD Domestic and Elementary School Employee File (May 9, 2003, 68 FR 24935).

**Reason:** The records contained in this system of records are covered by OPM/GOVT-1 (General Personnel Records), a government-wide system notice.

### APPENDIX H TO PART 310—LITIGATION STATUS SHEET

(See § 310.49)

#### LITIGATION STATUS SHEET

1. Case Number<sup>1</sup>
2. Requester
3. Document Title or Description<sup>2</sup>
4. Litigation
  - a. Date Complaint Filed
  - b. Court
  - c. Case File Number<sup>1</sup>
5. Defendants (DoD Component and individual)
6. Remarks (brief explanation of what the case is about)
7. Court Action
  - a. Court's Finding
  - b. Disciplinary Action (as appropriate)
8. Appeal (as appropriate)
  - a. Date Complaint Filed
  - b. Court
  - c. Case File Number
  - d. Court's Finding
  - e. Disciplinary Action (as appropriate)

## PART 311—OSD PRIVACY PROGRAM

Sec.

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- 311.7 Information requirements.
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**AUTHORITY:** Pub. L. 93-579, 88 Stat. 1986 (5 U.S.C. 552a).

**SOURCE:** 64 FR 22785, Apr. 28, 1999, unless otherwise noted.

### § 311.1 Purpose.

This part updates and implements basic policies and procedures outlined

<sup>1</sup>Number used by the Component for reference purposes.

<sup>2</sup>Indicate the nature of the case, such as, "Denial of access," "Refusal to amend," "Incorrect records," or other violations of the Act (specify).

## Office of the Secretary of Defense

## §311.5

in 5 U.S.C. 552a, OMB Circular A-130,<sup>1</sup> and DoD 5400.11-R<sup>2</sup> and provides guidance and procedures for use in establishing the Privacy Program in the Office of the Secretary of Defense (OSD) and those organizations assigned to OSD for administrative support.

### §311.2 Applicability and scope.

This part:

(a) Applies to the OSD, the Chairman of the Joint Chiefs of Staff, Uniformed Services University of the Health Sciences (USUHS) and other activities assigned to OSD for administrative support hereafter referred to collectively as "OSD Components."

(b) Covers record systems maintained by OSD Components and governs the maintenance, access, change, and release of information contained in OSD Component record systems, from which information about an individual is retrieved by a personal identifier.

### §311.3 Definitions.

*Access.* Any individual's review of a record or a copy of a record or parts of a system of records.

*Disclosure.* The transfer of any personal information from a system of records by any means of oral, written, electronic, mechanical, or other communication, to any person, private entity, or Government agency, other than the subject of the record, the subject's designated agent, or the subject's guardian.

*Individual.* A living citizen of the United States or an alien lawfully admitted to the United States for permanent residence. The legal guardian of an individual has the same rights as the individual and may act on his or her behalf.

*Individual access.* Access to personal information pertaining to the individual, by the individual, his or her designated agent or legal guardian.

*Maintain.* Includes maintenance, collection, use or dissemination.

*Personal information.* Information about an individual that is intimate or

private, as distinguished from information related solely to the individual's official functions or public life.

### §311.4 Policy.

(a) It is DoD policy to safeguard personal information contained in any system of records maintained by any DoD Component and to permit any individual to know what existing records pertain to him or her in any OSD Component covered by this part.

(b) Each office maintaining records and information about individuals shall ensure that their privacy is protected from unauthorized disclosure of personal information. These offices shall permit individuals to have access to, and to have a copy made of all, or any portion of records about them, except as provided in Chapters 3 and 5, DoD 5400.11-R, and to have an opportunity to request that such records be amended as provided by the Privacy Act of 1974 and Chapter 3 of DoD 5400.11-R. Individuals requesting access to their records shall receive concurrent consideration under 5 U.S.C. 552a and the Freedom of Information Act, as amended, if appropriate.

(c) Heads of OSD Components shall maintain any necessary record of a personal nature that is individually identifiable in a manner that complies with the law and DoD policy. Any information collected must be as accurate, relevant, timely, and complete as is reasonable to ensure fairness to the individual. Adequate safeguards must be provided to prevent misuse or unauthorized release of such information.

### §311.5 Responsibilities.

(a) The Director of Administration and Management, Office of the Secretary of Defense (DA&M, OSD) shall:

(1) Direct and administer the DoD Privacy Program for OSD Components.

(2) Establish standards and procedures to ensure implementation of and compliance with the Privacy Act of 1974, OMB Circular No. A-130, and DoD 5400.11-R.

(3) Designate the Director for Freedom of Information and Security Review as the point of contact for individuals requesting information of access to records and copies about themselves.

<sup>1</sup>Copies may be obtained by contacting EOP Publications, 725 16th Street, NW., NEOB, Washington, DC 20503.

<sup>2</sup>Copies may be obtained via internet at <http://web7.whs.osd.mil/corres.htm>.